

REMARKS/ARGUMENTS

In the Office action dated May 8, 2006, the Examiner rejected claims 1, 9 and 17 under 35 U.S.C. § 112, 2d paragraph as being indefinite. Claims 1 - 6 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,825,519 B2 to Li *et al.* in view of U.S. Patent No. 6,407,422 B1 to Asano *et al.* Claims 7 and 8 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over '519 in view of '422 and further in view of U.S. Patent No. 6,664,116 B2 to Li *et al.*

Claims 1-20 stand rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1-18 of U.S. Patent No. 7,053,001, granted May 30, 2006, U.S. Patent Application Serial No. 10/676,983 and claims 1-19 of U.S. Patent Application Serial No. 10/780,919, filed February 17, 2004. The Examiner allowed claims 9-20, provided terminal disclaimer are filed for the above identified patent and application.

In the Specification, no changes.

In the Claims, Claims 1, 9 and 17 are amended to overcome the 35 U.S.C. § 112, 2d paragraph rejection. The preamble now recites that the ferroelectric layer is deposited on an indium-containing layer, which is subsequently defined in the body of the claim as an indium-containing thin film. Claim 1 is also amended to include a limitation that the ferroelectric layer is deposited on the indium-containing thin film, which should overcome the 35 U.S.C. § 103(a) rejections of claims 1-8, rendering the claims allowable.

In light of the foregoing amendment and remarks, the Examiner is respectfully requested to reconsider the rejections and objections stated in the Office action, and pass the application to allowance. If the Examiner has any questions regarding the amendment or remarks,

the Examiner is invited to contact the undersigned. A PTO Form 2038 Credit Card authorization in the amount of \$260.00 is enclosed to pay two (2) terminal disclaimer fee.

Provisional Request for Extension of time in Which to Respond

Should this response be deemed to be untimely, Applicants hereby request an extension of time under 37 C.F.R. § 1.136. The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any over-payment to Account No. 22-0258

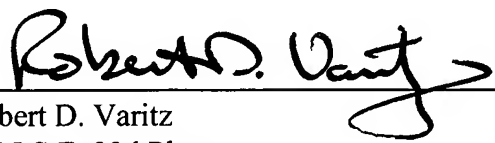
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Respectfully Submitted,

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